

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re : **Chapter 13**

Linda Merritt, :

Debtor. : **Case No. 11-18134 (JKF)**

Linda Merritt, :

Plaintiff, :

v. :

PNC Bank, N.A., :

Defendant. : **Adversary No. 12-0687**

ORDER TO SHOW CAUSE

This 11th day of September, 2014, the *pro se* Defendant having failed to attend a status conference in the above-captioned adversary proceeding on September 9, 2014;

AND this adversary proceeding having been filed on November 29, 2012 (doc. no. 1);

AND a Motion to Dismiss by the Defendant (doc. no. 3) having been granted on March 25, 2013 (doc. no.13);

AND the Plaintiff (then represented by counsel) having filed an Amended Complaint on July 2, 2013 (doc. no. 17);

AND an answer to the Amended Complaint, which was due 14 days after service, see Fed.R.Civ.P. 15(a)(3), not having been filed to date;

AND on February 19, 2014 the Debtor having advised opposing counsel and the Court that she would be proceeding in this matter *pro se* (doc. no. 20);

AND two previous status conferences having been held -- on March 11, 2014 and on May 13, 2014;

AND a continued status conference (the "Status Conference") having been held on September 9, 2014;

AND neither the Debtor nor the Defendant, both of whom received notice, having failed to appear at the Status Conference;

AND the Debtor having taken no steps to prosecute this adversary proceeding, such as a motion for default judgment pursuant to Fed.R.Civ.P. 7055;

AND in consideration of the above, it is hereby **ordered** that the Debtor shall appear in Bankruptcy Courtroom No. 3, United States Courthouse, 900 Market Street, Philadelphia, Pennsylvania, on **Tuesday, October 21, 2014**

at 2:00 p.m. (the “Show Cause Hearing”) to show cause why the Amended Complaint should not be **dismissed** for the Debtor’s failure to prosecute this adversary proceeding. If the Debtor fails to appear at the Show Cause Hearing, this adversary proceeding may be **dismissed** without further notice or hearing.



HONORABLE JEAN K. FITZSIMON
United States Bankruptcy Judge

Copies to:

Plaintiff/Debtor

Linda Merritt
699 West Glenrose Road
Coatsville, PA 19320

Mark A. Cronin
P.O. Box 711
1018 North Bethlehem Pike, Suite 203B-1
Spring House, PA 19477

Thomas D. Schneider, Esquire
55 Green Valley Road
Wallingford, PA 19086

Defendant

PNC Bank, N.A.
222 Delaware Ave.
Wilmington, DE 19801

Kassia Fialkoff, Esquire
Shapiro & DeNardo, LLC
3600 Horizon Drive, Suite 150
King of Prussia, PA 19406

Courtroom Deputy

Joan Ranieri